

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IRENE COLIN SANCHEZ,	:	
Petitioner,	:	
vs.	:	CIVIL ACTION NO. 10-0020-CG-C
UNITED STATES OF AMERICA,	:	CRIMINAL ACTION NO. 06-0114-CG
Respondent.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated February 19, 2010 is **ADOPTED** as the opinion of this Court.

It is therefore **ORDERED** that respondent's motion to dismiss (Doc. 138) is **DENIED**. Based upon the doctrine of equitable tolling, the Court finds that petitioner's § 2255 motion (Doc. 136) has been timely filed. The United States is **ORDERED** to file a substantive response to petitioner's four identified claims of alleged ineffective assistance of counsel (*see* Doc. 136, at 4-5) no later than **May 11, 2010**.

DONE and ORDERED this 16th day of March, 2010.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE